

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1195

**Introduced by Assembly Member Coto
(Principal coauthor: Assembly Member Chu)**

February 22, 2005

An act to add Section 2190.6 to the Business and Professions Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

AB 1195, as amended, Coto. Continuing education: cultural and linguistic competency.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under the act, a physician and surgeon is required to demonstrate satisfaction of continuing education requirements. The act also creates a voluntary program for interested physicians and surgeons to learn a foreign language and cultural beliefs and practices that may impact patient health care practices.

This bill would ~~make~~ *require a physician and surgeon to complete a mandatory continuing education course in* the subjects of cultural and linguistic competency ~~care a mandatory part of the continuing education requirements that a physician and surgeon must complete, as defined, unless exempted from this requirement by the board.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 2190.6 is added to the Business and Professions Code, to read:

2190.6. (a) All physicians and surgeons shall complete a mandatory continuing education course in the subjects of cultural and linguistic competency care. *This course shall be a one-time requirement, consisting of 16 credit hours that include a review and explanation of relevant federal and state laws and regulations regarding linguistic access, including, but not limited to, the federal Civil Rights Act of 1964 (42 U.S.C. Sec. 1981, et seq.), Executive Order 13166 of August 11, 2000, of the President of the United States, and the Dymally-Alatoree Bilingual Services Act (Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code).* A physician and surgeon who was issued a certificate before January 1, 2006, shall complete this requirement prior to January 1, 2011, and a physician and surgeon who was issued a certificate on and after January 1, 2006, shall complete this requirement within four years of the issuance date of his or her certificate or by the date of the second renewal of the certificate, whichever occurs first. The board may verify completion of this requirement on the application form to renew the physician's and surgeon's certificate.

(b) The board by regulation may exempt a physician and surgeon by practice status category from the requirement of subdivision (a) if the physician and surgeon does not engage in direct patient care, does not provide patient consultation, or does not reside in this state.

(c) For the purposes of this section, "cultural competency" means the delivery of culturally competent health care that incorporates pertinent cultural concepts and data in the clinical assessment and treatment of patients across ethnic and cultural groups. At a minimum, cultural competency skill includes the following:

(1) Applying linguistic skills to communicate effectively with the target population.

(2) Utilizing cultural information to establish therapeutic relationships.

1 (3) *Eliciting and incorporating pertinent cultural data in*
2 *diagnosis and treatment.*

3 (4) *Understanding and applying cultural and ethnic data to*
4 *the process of clinical care.*

5 (d) *For the purposes of this section, “linguistic competency”*
6 *means the ability of the physician and surgeon to provide*
7 *patients who do not speak English or have limited ability to*
8 *speak English, direct communication in the patient’s primary*
9 *language.*